

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Phillip R. Holste, Program Manager, 954-797-1041

PREPARED BY: Phillip R. Holste, Program Manager

SUBJECT: Resolution

AFFECTED DISTRICT: Town-wide

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: SUPPORT - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING AND ADOPTING THE BROWARD COUNTY DECEMBER 2009 REVISED MULTI-JURISDICTIONAL LOCAL MITIGATION STRATEGY.

REPORT IN BRIEF: Broward County has revised its original Local Mitigation Strategy (LMS) in order to comply with the Disaster Mitigation Act of 2000 and new mitigation planning criteria issued by FEMA. Changes to the Local Mitigation Strategy are enumerated in the Preface (pages 10 & 11) to the Strategy dated December 2009. Compliance with these requirements is necessary in order to maintain eligibility for hazard mitigation grant funding after Presidential declared disasters. The proposed resolution sets forth the Town's continued support and adoption of the LMS.

The entire strategy can be found in the Council Read folder.

PREVIOUS ACTIONS: R2002-275 (supporting the Broward County Local Mitigation Strategy); R2004-19 (adopting the Broward County Local Mitigation Strategy)

CONCURRENCES: None

FISCAL IMPACT: No

Has request been budgeted? n/a

Additional Comments:

RECOMMENDATION(S): Motion to approve resolution

Attachment(s): Resolution, Exhibit A: Broward County LMS Preface, Exhibit B: FEMA LMS approval letter

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, SUPPORTING AND ADOPTING THE BROWARD COUNTY DECEMBER 2009 REVISED MULTI-JURISDICTIONAL LOCAL MITIGATION STRATEGY.

WHEREAS, the Town of Davie is located in an area that is vulnerable to natural and man-made disasters; and

WHEREAS, the Town supports reasonable efforts to make the community better prepared for future disasters and better able to recover after disaster strikes; and

WHEREAS, the State of Florida has stipulated that a Local Mitigation Strategy (LMS) is the first step in the process of making a community better prepared to manage disasters; and

WHEREAS, the Broward County December 2009 Local Mitigation Strategy (LMS) is in compliance with the local hazard mitigation requirements of Section 322 of the Disaster Mitigation Act of 2000 (DMA2K) as implemented in 44 C.F.R., Part 201; and

WHEREAS, approval and adoption of the plan is necessary in order to maintain eligibility for hazard mitigation project grant funding.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. That the foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the Town Council of the Town of Davie does hereby approve and adopt the Broward County December 2009 revision of the multi-jurisdictional Local

Mitigation Strategy as approved by the Federal Emergency Management Agency as meeting all current requirements for such a plan.

SECTION 3. That the Town Council of the Town of Davie hereby directs the Town Administrator to appoint one primary and one alternative Town employee to participate in the Local Mitigation Strategy Working Group to ensure the Town of Davie is represented on all matters.

SECTION 4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2010.

ATTEST: MAYOR/COUNCILMEMBER

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2010.

Exhibit A: 2009 Broward County LMS Preface

Preface

The Broward County Local Mitigation Strategy (LMS) was developed in 1997, 1998, 1999 and 2004, and adopted by the Broward County Board of County Commissioners in April 2005 (Resolution #2005-344). This document was reviewed by the Florida Department of Emergency Management as to compliance and is consistent with the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), as amended by Section 322 of the Disaster Mitigation Act of 2000 (P.L. 106-390), the National Flood Insurance Act of 1968, as amended by the National Flood Insurance Reform Act of 2004 (P.L. 108-264) and 44 Code of Federal Regulations (CFR) Part 201 – Mitigation Planning, inclusive of all amendments through October 31, 2007.

In some chapters of the updated Broward County Local Mitigation Strategy for the year 2009, the data as originally submitted in 2004 for review remains in the LMS as they identify the background and development of the LMS.

Some chapters are being totally replaced with the latest data. Chapter 4 was completely re-written in 2007, and updated in 2009. A new Chapter 6 was also added for 2009 to further define the LMS Plan maintenance. The synopsis of the changes and additions in each of the chapters from the 2004 document reviewed by the State Hazard Mitigation Officer and Federal Emergency Management Agency (FEMA) are identified as follows:

Chapter 1 - Introduction

No change. The number of municipalities has increased to 31. Population data is updated in Chapter 2.

Chapter 2 - Broward County Profile

The Broward County Profile previously submitted remains in the plan as certain data herein does not change. There is however an update of the demographic and economic data to reflect current conditions in Broward County.

Chapter 3 - Planning Process

The original Planning Process and the 2002 update remains as part of the LMS as it gives a history of the development of the LMS. For 2009, the chapter further defines the LMS Working Group and the new Executive Committee.

Chapter 4 - Risk Assessment

This chapter has been completely re-written and revised to reflect hazard risk for Broward County and its municipalities.

Chapter 5 - Mitigation Initiatives

The Mitigation Initiatives chapter remains consistent with the 2002 plan but has been updated to reflect revised goals and objectives. In addition, the chapter has an added section to comply with Element 15 (Identification and Analysis of Mitigation Actions: NFIP Compliance) of the FEMA Planning Guidance.

Chapter 6-Plan Maintenance (New)

Although elements of plan maintenance were reflected in the previous Plan, this chapter was developed to further define the entire maintenance and updating process the LMS will undergo in the future.

Appendix A (New)

The Executive Committee adopted a new Project Prioritization matrix for 2009. Although it appears in final format, the Planning Committee is still refining the criteria matrix. Once approved by the Executive Committee, all current and future projects in Appendix C will be scored and ranked accordingly.

Appendix B (New)

New for 2009, the Plan now includes the LMS Proposed Project Form used to submit projects.

Appendix C (Previously included in Appendix A)

As of June 1, 2009 we exported from an old database the listing of current projects. Projects that have been completed or no longer viable are listed separately at the bottom of the list.

Appendix D (Previously Appendix C)

Updated with current membership as of June 1, 2009 and reflects the newly created Executive Committee.

Appendix E

No changes.

Appendix F (Previously Appendix D)

No changes.

Appendix G (New)

New for 2009, copies of CRS Form AW-214 or 3/5 year Cycle approval documentation for participating CRS communities.

Appendix H (New)

New for 2009, this appendix shows all Repetitive Loss Properties by Type.

Appendix I (New)

New for 2009, this appendix shows Table 4.28, At-Risk Critical Facilities (Riverine / Coastal Flood Events

Exhibit B: FEMA LMS Approval Letter



U.S. Department of Homeland Security
FEMA Region IV
3003 Chamblee Tucker Road
Atlanta, GA 30341

FEMA

January 25, 2010

Mr. David Halstead, Interim Director
Division of Emergency Management
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Attention: Mr. Miles Anderson

Reference: Broward County Multi-jurisdictional Local Mitigation Strategy

Dear Mr. Halstead:

We are pleased to inform you that the Broward County Multi-jurisdictional Local Mitigation Strategy is in compliance with the federal hazard mitigation planning standards resulting from the Disaster Mitigation Act of 2000, as contained in 44 CFR 201.6. The plan is approved for a period of five (5) years, to January 25, 2015.

This plan approval extends to the following participating jurisdiction that provided a copy of their resolution adopting the plan:

- Broward County, Unincorporated

The approved participating jurisdiction is hereby an eligible applicant through the State for the following mitigation grant programs administered by the Federal Emergency Management Agency (FEMA):

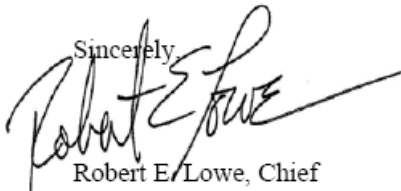
- Hazard Mitigation Grant Program (HMGP)
- Pre-Disaster Mitigation (PDM)
- Severe Repetitive Loss (SRL)
- Flood Mitigation Assistance (FMA)

We commend the participants in the Broward County plan for the development of a solid, workable plan that will guide hazard mitigation activities over the coming years. Please note that all requests for funding will be evaluated individually according to the specific eligibility and other requirements of the particular program under which the application is submitted.

For example, a specific mitigation activity or project identified in the plan may not meet the eligibility requirements for FEMA funding, and even eligible mitigation activities are not automatically approved for FEMA funding under any of the aforementioned programs. In addition, please be aware that if any of the approved jurisdictions participating in this plan are placed on probation or are suspended from the National Flood Insurance Program, they may be ineligible for certain types of federal funding.

We strongly encourage each Community to perform an annual review and assessment of the effectiveness of their hazard mitigation plan; however, a formal plan update is required at least every five (5) years. We also encourage each Community to conduct a plan update process within one (1) year of being included within a Presidential Disaster Declaration or of the adoption of major modifications to their local Comprehensive Land Use Plan or other plans that affect hazard mitigation or land use and development. When the plan is amended or revised, it must be resubmitted through the State as a "plan update" and is subject to a formal review and approval process by our office. If the plan is not updated prior to the required five (5) year update, please ensure that the draft update is submitted at least six (6) months prior to expiration of this plan.

The State and the participants in the Broward County plan should be commended for their close coordination and communications with our office in the review and subsequent approval of the plan. If you or Broward County have any questions or need any additional information please do not hesitate to contact Gabriela Vigo, of the Hazard Mitigation Assistance Branch, at (229) 225-4546, or Linda L. Byers of my staff at (770)-220-5498.

Sincerely,

Robert E. Lowe, Chief
Risk Analysis Branch
Mitigation Division

